

FACT SHEET

The permitting authority for the Sewage Sludge Use or Disposal Permit is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

Prepared by: Eura DeHart

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PERMIT ACTION:

The Office of Environmental Services, Water Permits Division, under the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), is responsible for environmental protection and regulation of the use and disposal of sewage sludge. Under the permitting authority authorized by the Louisiana Environmental Quality Act, the Department proposes to issue a Sewage Sludge Use or Disposal General Permit LAJ650000 for persons who prepare sewage sludge for disposal in a landfill permitted to accept sewage sludge.

I. Covered activity

A. Applicability.

Persons who prepare sewage sludge for disposal in a landfill permitted to accept sewage sludge are eligible for coverage under this general permit.

The landfill where the sewage sludge is disposed must possess a valid, effective permit issued under LAC 33:VII or Subtitle C of the Solid Waste Disposal Act and be permitted to receive sewage sludge for disposal.

B. Obtaining Authorization.

All persons who prepare sewage sludge for disposal in a landfill permitted to accept sewage sludge as described above are eligible for coverage under this general permit and will become permittees authorized for disposal of sewage sludge in the requested landfill permitted to accept sewage sludge upon approval and written notification by this Office of coverage under this general permit.

Notice of Intent (NOI) to be covered under this general permit shall be made using Form 7257. The Form 7257 may be obtained from the LDEQ website at <http://www.deq.louisiana.gov/portal/tabid/2296/Default.aspx> or by calling (225) 219-3181.

Facilities that have previously submitted a Sewage Sludge & Biosolids Use or Disposal Permit Application to the Department and meet the eligibility requirements for this general permit may be issued coverage under this general permit. Existing facilities conducting activities that are eligible for coverage under this general permit but which are not permitted by LDEQ should submit an NOI immediately. Proposed facilities desiring coverage

under this general permit must submit an NOI at least one hundred eighty (180) days prior to conducting activities covered by this general permit.

Existing facilities and proposed facilities shall submit proof of public notice indicating their intent to be covered under this general permit within sixty (60) days after the NOI seeking coverage is determined administratively complete. Existing facilities with a valid individual Sewage Sludge & Biosolids Use or Disposal Permit which covers this activity are not required to public notice their intent to seek coverage under this permit since the individual permit has been public noticed. The public notice of this general permit will serve as public notice for those facilities which the Department has received a sewage sludge use or disposal permit application and determined the application to be administratively complete prior to the public notice of this general permit.

For all other facilities, the public notice shall be published in the local newspaper, or in the absence of a local newspaper, a newspaper of general circulation at that location, a public notice using the format included in the NOI, announcing the intent to seek coverage under the general permit. An affidavit proving publication along with a copy of the public notice and the date of publication shall be provided to this Office by the applicant.

If the applicant does not public notice the intent to seek coverage under this general permit and submit proof of publication within sixty (60) days of administrative approval of the NOI by this Office, the NOI will be considered withdrawn by the applicant and authorization under this permit will not be granted unless a new NOI and proof of publication are submitted in accordance with the requirements of this general permit.

Any permittee covered by an individual sewage sludge permit may submit an NOI and request that the individual sewage sludge permit be canceled if the permitted source or activity is also eligible for coverage under this general permit.

The Department may deny coverage under this general permit and require submittal of an application for an individual sewage sludge permit based on a review of the NOI or other information. This Office reserves the right to issue such facilities an individual sewage sludge permit with more appropriate conditions and/or limitations.

C. Restrictions and Prohibitions.

This general permit does not apply to:

1. public, private, or commercial facilities that prepare sewage sludge into an Exceptional Quality Biosolids or a Class B Biosolids for beneficial use through land application for either a crop fertilizer or soil conditioner;
2. public, private, or commercial land appliers of a Class B Biosolids; or
3. incinerators of sewage sludge.

The disposal of sewage sludge in a Type III facility as defined by LAC 33:VII.115 is prohibited.

The use or disposal of sewage sludge that is hazardous under 40 CFR Part 261 and/or LAC 33:Part V is prohibited.

The use or disposal of sewage sludge with a concentration of polychlorinated biphenyls (PCBs) equal to or greater than 50 milligrams per kilogram of total solids (dry weight basis) is prohibited.

D. Disposal Authorization.

During the period beginning with written notification of coverage under this permit and lasting through the expiration date of this general permit, a permittee covered under this permit is authorized to dispose sewage sludge in a permitted landfill as specified in Appendix A that will accompany the permittee's letter granting authorization under this permit in accordance with the conditions that follow.

II. Public Notice

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address which will be provided in the published notice. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

- THE ADVOCATE of Baton Rouge
- LAKE CHARLES AMERICAN PRESS
- DAILY ADVERTISER of Lafayette
- THE TIMES of Shreveport
- THE TIMES PICAYUNE of New Orleans
- THE NEWS-STAR of Monroe
- THE TOWN TALK of Alexandria
- THE DAILY COURIER of Houma
- Office of Environmental Service Public Notice Mailing List / Web Site
- LDEQ Permits Public Web Page at:

<http://www3.deq.louisiana.gov/news/pubnotice/default.asp>

The draft permit, Notice of Intent, and fact sheet will be available for review at the LDEQ Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, Louisiana, during the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays).

The Water Permits Division will send notification of the final permit decision to each person who has submitted written comments or a written request for notification of the final decision.

The public notice of this general permit will serve as public notice for those facilities which the Department has received a sewage sludge use or disposal permit application and determined the application to be administratively complete prior to the public notice of this general permit.

III. Proposed Permit Conditions and Rationale

Sewage sludge is generated by the treatment of domestic wastewater. Proper management, including use and disposal, of sewage sludge is important for protection of human health and the environment. The United States Environmental Protection Agency promulgated regulations in the Clean Water Act under 40 CFR Part 503 for the use or disposal of sewage sludge. The regulations establish standards, which consists of general requirements, pollutants limits, management practices, and operational standards, for use or disposal of sewage sludge generated during the treatment of domestic sewage in a treatment works. The regulations also include the frequency of monitoring and recordkeeping requirements.

In November 2007, the Department promulgated regulations under the Water Quality Regulations in LAC 33:IX.Chapter 73 establishing standards for the use or disposal of sewage sludge generated during the treatment of domestic sewage in a treatment works and of domestic septage, biosolids, and grease that was pumped or removed from a food service facility and mixed with sewage sludge. These regulations are similar to the requirements set forth in Clean Water Act under 40 CFR Part 503.

After promulgation of these regulations, the Department received numerous applications requesting authorization for disposal of sewage sludge in permitted landfills. The Department is issuing this permit to assure sewage sludge is disposed in accordance with regulations to protect human health and the environment.

This permit covers a number of facilities that dispose sewage sludge in permitted landfills. These facilities have similar operations and disposal practices and required the same operating conditions and standards for the sewage sludge use or disposal practice. The requirements placed into the general permit are those requirements of LAC 33:IX. Chapter 73 as it pertains to preparers of sewage sludge seeking authorization for disposal of sewage sludge in permitted landfills. The requirements of this general permit are the same requirements that would be required of the facility in an individual permit. Covering these facilities under a general permit allows them to be regulated within an acceptable amount of time and expense to permittees as well as to this Office while maintaining the integrity of the environment.

Standards for the Use or Disposal of Sewage Sludge and Biosolids are established in the LAC 33:IX.Chapter 73 and includes the regulatory requirements for persons that prepare sewage sludge, including dewatering and solidification of sewage sludge, that is disposed in a landfill.

LAC 33:IX.7301.E establishes requirements for sewage sludge disposed in a landfill as follows:

1. A landfill where sewage sludge is disposed must possess a legal and effective permit.

2. A person who disposes of sewage sludge in a landfill shall provide the necessary information to the owner/operator of the landfill where the sewage sludge is to be disposed to assure that the landfill will be in compliance with its permit requirements.
3. The person who prepares sewage sludge that is disposed in a landfill shall provide the following to the Office of Environmental Services on an annual basis, or at a frequency designated in the permit:
 - a. Proof that the sewage sludge is being disposed at an approved landfill, by furnishing the name, address, and permit number of the landfill; and,
 - b. Copies of all records of sampling and laboratory analyses of the sewage sludge for hazardous characteristics or the presence of PCBs, of the results of the Liquid Paint Filter Test (if required by the permit), and of any other analysis required by the owner/operator of the landfill.

Standard conditions applicable to all sewage sludge and biosolids use or disposal permits are established in Part III of the General Permit in accordance with the requirements of LAC 33:IX.7313.

IV. Tentative Determination

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a general permit for the activities described in this Fact Sheet.

V. References

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX – Water Quality, Subpart 3. Chapter 73, August 2009.

Louisiana Revised Statutes, Title 30 – Minerals, Oil, and Gas, and Environmental Quality, Subtitle II. Environmental Quality, 2008.

Title 40 of the Code of Federal Regulations [CFR], Part 503.